

## Welfare Scheme for Domestic Migrant Workers in the Analysis of Kerala

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### Abstract

Kerala state, which accounts for 1.18 per cent (38863 square kilometres) of the total land area of India, accommodates 3.1 per cent (34 million) of the Indian population. The development experience of Kerala is characterised by high social development disproportionate to the level of economic growth<sup>2</sup>. The experience, often described as the Kerala model of development, has received world wide attention from both scholars and development agencies. The achievements of Kerala, going at least by macro level indicators of social development, have exceeded those of other Indian states<sup>3</sup> and some of the developed countries. The state is ranked first among the states in India on the basis of human development index and rural social development index. The state has also been successful in reducing poverty which is 13.7 per cent and 14.7 per cent in rural and urban areas respectively in 2004-05 while the corresponding figures for India was 28.7 per cent and 25.9 per cent (Tendulkar, 2009). The state's development pattern also indicates relatively low inequalities in health and education outcomes. Nobel laureate Amartya Sen cites Kerala as a case of support led security as against the growth mediated security.

**Keywords:** welfare schemes, migrants, Development scenario

### Introduction

The achievements of Kerala are often located by Sen and others in the historical processes including the social reform movements, activities of missionaries and the church, mass mobilizations of the poor and the working class for their rights, public action and political activism. Decentralization of government conferring more autonomy and powers to local governments and provision for peoples' participation in planning at the local level are the recent political initiatives in the State for giving more voice to the people. In India, social security is listed in the Directive Principles of State Policy and is one of the subjects in the Concurrent List in the Constitution of India, which is federal in nature. Kerala state has been a front runner among the states in India in initiating social security schemes for different vulnerable sections of the society. These schemes, implemented mainly through different welfare boards, have been successful in extending social security to a limited extent to majority of the vulnerable groups. Extending the coverage of social security net to workers in the unorganised sector is identified as one of the major priorities of the state government (Government of Kerala, 2009).

The state government introduced a welfare scheme for the migrant workers on the May Day of 2010. Under the scheme titled 'Inter State Migrant Workers Welfare Scheme', a membership card is issued to each migrant worker who gets enrolled. Each registered worker would get up to Rs. 25,000 as healthcare assistance for in-patient care in empanelled hospitals in case of accidents or chronic diseases. However, the worker is eligible to get only Rs. 100 per day and the maximum limit fixed per episode of disease is Rs. 2000. If the labourers become incapable of undertaking jobs for more than six months due to accidents or chronic diseases, they are eligible to get a special assistance of up to Rs. 25000. The labourers who have registered in the scheme continuously for three years are also eligible to enjoy a retirement benefit of Rs. 1000 per year subject to a minimum of Rs. 10,000 and a maximum of Rs. 25,000. Financial assistance to the tune of Rs. 50,000 in the event of death in accident at work site and Rs. 10,000 in the event of natural death is provided to the dependents of the migrant labourers. An additional assistance of Rs. 5000 to Rs. 15000 (depending on the distance to the state of origin) is also given for transporting the body to their native places. There is also a provision for assistance of Rs.3,000 per annum for the education of the children of migrant labourers who are studying beyond Class X in Kerala. The scheme is implemented through the Kerala Construction Workers Welfare Fund Board which is also running a scheme for the welfare of the construction workers. The migrant worker will be required to pay an annual contribution of just Rs. 30. The Welfare Board, which is financed mainly from the cess on construction activities, will credit twice that amount in her/his account. The government will provide the rest of the money needed for the welfare measures. The welfare fund package is in addition to the assistance available to inter-State migrant workers under the Inter State Workmen (Regulation of Employment and Conditions of Service) Act and the rules framed under it. The welfare fund scheme would be monitored by an advisory committee chaired by the State Labour Commissioner and comprising representatives of various trade unions.

The scheme, though pioneering, has certain inherent weaknesses. The programme targets to enroll half a million workers which is much lower than the total number of migrant workers in the state. That the actual

number of workers registered in the first 18 months of its existence is only about 18000 indicate that most of the migrant workers remain outside the protective umbrella. One reason for the failure to enroll most of the migrant workers is the lack of awareness about the welfare scheme among the target group.

**Sectors of Employment:** The striking aspect of the DML(Domestic migrant Labourers) in Kerala is that they have come to fill almost all occupations and sectors of the economy. A look at T able 5 and the observation that almost all cells have entries is enough to substantiate it. The train survey over two weeks, a small window to the world of DML, was enough to testify it. Their largest concentration is in the booming construction sector with 60% reporting it Manufacturing, Hotel and Restaurants and Trade too report substantive numbers. Interestingly, Kerala agriculture has also become dependent on migrant labour. The others group contains a multitude of sectors. Thus, Kerala economy is driven by the large DML.

**Table 1. Distribution of DML by Occupation and Sector of Employment**

Occupation	Sector of Employment							Total
	Agriculture	Construction	Hotel and Restaurant	Manufacturing	Trade	others	Not Reported	
Carpenter	-	0.54	-	0.14	0.14	0.81	0.14	1.90
Electrician	-	-	0.14	-	-	0.41	0.14	0.68
Mason/Flooring	-	3.54	-	-	-	-	0.14	3.68
Sales person	0.14	0.27	0.14	-	0.14	-	-	0.68
Tailoring	-	-	-	0.14	-	0.27	-	0.41
Skilled work	0.14	10.61	0.54	3.13	0.14	3.67	0.27	18.50
Unskilled work	2.04	43.40	5.44	4.22	1.36	11.56	1.50	69.52
Others	-	4.91	0.54	0.67	-	0.15	-	2.45
Not reported	-	0.27	0.14	0.14	-	0.68	0.95	2.18
Total	2.31	60.00	6.94	8.30	1.77	17.55	3.13	100

While the largest concentration of DML is among the unskilled work, they are not just confined to it. The next largest category is that of skilled work whether it is construction, manufacturing or hotels and restaurants. Masonry, carpentry and electrical work too have seen their entry. On the whole, the DML have begun entering all skills and all sectors in Kerala. Unemployment and Under -Employment Amongst DML: Further, examining the number of days of employment, it is clear that there is no sign of unemployment or under employment amongst the DML in Kerala. Over 85% get employment six or seven days a week. Another 11% reported working for five days a week. Only about two percent reported employment for less than four days a week.

**Table 2. Distribution of DML by Number of Days of Employment in a Week**

Number of Days of Employment in a Week	ment	Percentage of Labour Reporting
3		0.54
4		1.50
5		10.88
6		57.82
7		28.71
Non Reporting		0.54
<b>Total</b>		<b>100.00</b>

During one of the Focus Group Discussions we had with migrant workers, none of them were aware of the scheme, though they felt that such a scheme is attractive. There was no strategy to communicate directly with the migrant workers coming from different regions of India and speaking different languages and dialects. Most of the communication was through advertisements in the print media which was in Malayalam, the local language or English which is also different from the language of the migrant workers. There is very little chance that migrants take note of these advertisements.

As noted above, the scheme is administered by the Board which operates the welfare scheme for construction workers. As of now they are primarily targeting the builders. They contact the builders and ask them to enrol the migrant workers working with them. For registration, the workers have to furnish copy of the identity cards, which majority of whom we met did not have. Obviously the builders register only migrant workers who have a proof of their identity. Another reason for exclusion of a significant section of the migrant population arises from the stipulation that the employer has to certify that the worker is working with him, which many of the employers are unwilling. A large section of the migrant workers are employed in the Plywood industry. But the Owners of Plywood Units are not willing to certify the employment of the worker for registration under the scheme. The above requirements also prevent the casual migrant labourers who do not have a permanent employer from availing the benefits of the scheme. Similar is the situation with domestic workers and seasonal workers employed in plantations, agricultural farms etc. As a result, the enrolment which is only less than two per cent of the estimated migrant labour force in the state 18 months after the initiation of the scheme.

Trade unions were in the forefront of ensuring the rights of local workers. They also acted as pressure groups to make changes in the regulatory framework to protect workers from exploitation as also to initiate welfare schemes. The support of trade unions may enable socially marginalized groups like the migrant workers to claim their rights at par with the local workers. The migrants who are often not aware of their rights, however, get very limited support from the trade unions. Though trade unions in Kerala are strong in the organized sector and in the unorganized sector, they are yet to make their presence felt in any significant way among the migrant labourers. Similarly, the political parties appear to be not aware of the complex issues involved in large scale in-migration. There have been some attempts by non-governmental organizations to take up issues of migrant labourers, but their reach is very limited.

In the case of other labour welfare schemes in the state, trade unions played a major role in enrolment. A study of the construction workers' welfare fund unions in bringing the workers into the fold of the welfare scheme. The necessary promotional work and support to enrol the workers in the scheme was done mostly by the trade unions. Large majority of the workers covered by the study also reported that they became members with the assistance of trade unions. Such an approach was not possible for the enrolment of inter-state migrant workers mainly because the trade unions do not have any significant presence among them.

A feature of the welfare boards in Kerala is that they are contributory in nature. The nature of contribution from government, employers and workers varies from fund to fund. The employer's contribution is higher than that of the workers in all the funds (ibid). Whenever both contributions are meagre, government makes up the shortfall. The worker's contribution (as also benefits) varies from fund to fund and is dependent on the ability to pay. But in the case of the welfare fund for migrant labourers, employers' contribution comes only in the form of building cess collected from the construction companies. Since construction industry is only one

of the sectors in which migrant labourers are employed, in effect, there is no contribution from employers in other sectors.

### **Conclusion**

The initiative of the state government to institute a welfare scheme for migrant workers, in spite of its weaknesses, needs to be appreciated. It also indicates that the visibility of this 'invisible people' has increased in administration and governance aspects in the state. The state government, in the future, may have to think about constituting a separate mechanism to implement the scheme as presently the scheme is faced with constraints due to inadequate personnel. Currently, the staff of the Construction Welfare Fund Board is implementing this additional scheme with out any change in the staffing pattern. They are also constrained because of the non-availability of vehicles and other facilities necessary for undertaking the field work. It is also important that the representatives of the migrant labourers are present in the monitoring committee. Kerala, a state known for participatory democracy, can not shed its responsibilities to involve the beneficiaries in the implementation of the scheme

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